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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,484	12/26/2000	Hiroyo Masuda	FUJH 18.158	4369

7590 10/06/2003
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NEW YORK, NY 10022-2585

EXAMINER

DAVIS, TEMICA M

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 10/06/2003 8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/749,484

Applicant(s)

Masuda et al.

Examiner

Temica M. Davis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Dec 26, 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10 and 11 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 7, and 12 is/are rejected.
- 7) ☒ Claim(s) 3-6, 8, 9, and 13 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
- (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Takubo et al (Takubo), U.S. Patent No. 6,597,909.

Regarding claim 1, Takubo discloses a radio switching system, comprising: a mobile subscriber (col. 4, lines 6-13); inherently a base station controller for controlling a transmission and reception of a signal from the mobile subscriber within its own cell (col. 1, lines 27-51); a mobile switching center connecting with a plurality of the base station controllers (col. 3, lines 50-61); and a home location register for storing home zone information whether or not the mobile subscriber is a subscriber of home zone services (col. 4, lines 54-63), wherein the mobile

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switching center judges to a position registration request inside/outside a home zone by the mobile subscriber whether or not the registration is accepted, based on the home zone information transmitted from the home location register (col. 5, lines 6-67).

Regarding claim 2, Takubo discloses the radio switching system according to claim 1, wherein each time a radio area is changed by a hand-over, etc. of the mobile subscriber, based on the home zone information, the radio switching system further performs a processing in response to registration conditions inside/outside the home zone of the mobile subscriber (col. 4, line 54-col. 5, line 67).

3. Claim 12 is rejected under 35 U.S.C. 102(e) as being anticipated by Tokuyoshi, U.S. Patent No. 6,377,806.

Regarding claim 12, Tokuyoshi discloses a method of collecting accounting information in a mobile switching center in a radio switching system, the method comprising: receiving from a switching center accounting information which the switching center generates based on controlling a hand-over; and editing the accounting information based on account conditions in accordance with the hand-over (col. 10, lines 22-53).

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Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takubo.

Regarding claim 7, Takubo discloses the radio switching system according to claim 1 as described above. Takubo, however, fails to disclose the MSC restricting additional services in addition to transmission or reception services of the mobile subscriber.

The examiner contends, however, that at the time of invention, such a feature would have been obvious to a person of ordinary skill in the art for the purpose of ensuring that mobile station does not use services in which is not authorized to use outside of its home zone.

Allowable Subject Matter

6. Claims 3-6, 8, 9 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 10 and 11 are allowed.

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8. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 10, prior art fails to suggest or render obvious a radio switching system, wherein the mobile switching center has means for counting the number of times of location registration of each area in which the mobile subscriber subscribed in the home zone services performed the location registration within a predetermined period of time, and the location registration area where the number of times of registration counted by the counting means after the predetermined period of time is expired is high is established as a home zone.

Regarding claim 11, prior art fails to suggest or render obvious a radio switching system wherein the mobile switching center has means for counting the number of times of location registration of each area in which the mobile subscriber subscribed in the home zone services performed the location registration within a predetermined period of time, and the location registration area where the number of times of registration counted by the counting means after the predetermined period of time is expired is high is established as a home zone.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Silver et al, U.S. Patent No. 6,560,457, discloses enhanced call delivery system interoperability between circuit and packet switched networks.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Davis whose telephone number is (703) 306-5837. The examiner can normally be reached on Monday-Thursday from 6:45 am to 3:15 pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Sinh Tran, can be reached on (703) 305-4040.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC2600 Customer Service at (703) 306-0377.

Any response to this communication should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

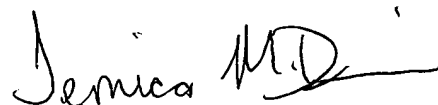
Or faxed to:

(703) 872-9314 (for any communications intended for entry).

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).*

Temica M. Davis

September 29, 2003


TEMICA M. DAVIS
PATENT EXAMINER